

**REMARKS**

In this Amendment, Applicant has amended Claims 1 and 14 to overcome the rejections and further specify the embodiments of the present invention. The support for the amendments to the claims can be found throughout the specification. It is respectfully submitted that no new matter has been introduced by the amended claims. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

**REJECTIONS UNDER 35 U.S.C. § 112 FIRST PARAPGRAPH:**

Claim 1 has been rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to satisfy the written description requirement and containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

It is respectfully submitted that the rejection is incorrect and there is sufficient support for the feature of “a use rate of said idle state which is a rate of the total idle state time in total using time and the total idle state time of all application software products” in the specification. The specification shows on page 18, lines 20 – 22 that “the use rate is calculated and displayed in percentage of use in all application products and idle states.” To a person of ordinary skill in the art, this obviously means that the use rate of the application product is calculated in percentage of use in all application products and idle states, and use rate of the idle state is calculated in percentage of use in all application products and idle states.

In addition, Fig. 3 clearly shows that the use rate of “SOFTWARE G” is 5.0% and the use rate of “IDLE” is 47%. This 5% (use rate of the application product “G”) was calculated in percentage of using time for the “SOFTWARE G” in using time for all application products and using time for the idle state. Similarly, the 47% (use rate of the

idle state) was calculated in percentage of using time for the “IDLE” in the using time for all application products and the using time for idle states.

It is respectfully submitted that the use rate of the application and the use rate of the idle state are calculated in the same way. Although the using time for idle state was useless in the prior art, the present invention makes the using time for idle state useful in monitoring computer activity the same as the using time for the application products. Therefore, the present invention is enable to treat a total idle state time as using time for idle state like one of the application software products, compare the using time of each application product and/or using time of the idle states with total using time of all application products and the total idle time, and easily compare the use rate for each of the application software product with the rate of the idle states. Consequently, the “use rate for idle state” is clear and is sufficiently supported by the specification.

Therefore, the rejection under 35 U.S.C. § 112, first paragraph has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. § 112, first paragraph, is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103:

Claims 1 – 2 and 14 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beach et al. (US 5,388,268), hereinafter Beach, in view of Sakamoto et al. (JP 10-326245), hereinafter Sakamoto, and further in view of Machida (JP 09-091179), hereinafter Machida. Claims 3 – 4 and 9 – 12 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beach in view of Sakamoto in view of Machida and further in Johnson et al. (US 5,964,839), herein after Johnson. Claims 5 – 8 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beach in view of Sakamoto in view of Machida and further in view of Freund (US 5,987,611). Claim 16 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beach in view of Sakamoto in view of Machida and further in view of Hirokawa (US 6,697,172). Claims 17 and 19 – 20 have been rejected under 35 U.S.C. §

103(a) as allegedly being unpatentable over Beach in view of Sakamoto in view of Machida in view of Freud and further in view of Wattenberg (US 6,583,794).

Applicant traverses the rejection and respectfully submits that the rejections under 35 U.S.C. § 103(a) have been overcome in view of the presently amended claims. More specifically, Claims 1 and 14 have been amended to include the feature that “said monitor-subject computer records logs of a use state of application software products, reads out the recorded logs, outputs and transmits them collectively to the monitor computer, and delete the recorded logs from the monitor-subject computer”. It is respectfully submits that none of the references cited by the Examiner discloses or teaches this feature. Therefore, there is no motivation to combine these cited references. Even if they are combined, the embodiments of the present invention in the amended claims will not be rendered obvious.

In addition, Applicant respectfully submits that the using rate of idle state is one of the important features of the present invention. The computer monitoring system of the present invention calculates and outputs the using rate of idle state as well as the using time of each application product, the total idle time and the rate for each of the application software products, furthermore displays comparably both the use rate for each of the application software products and the use rate of the idle state as well as the using time of each application product and the total time to make an operator of the monitor computer realize use efficiency easily. Therefore, according to the present invention, it is very easy to compare the using time of each application product and/or using time of idle states with total using time of all application products and the total idle time. In addition, the present invention is enabled to easily compare the use rate for each of the application software product with the rate of the idle states, recognize quantity by these using times, recognize quality by these use rates, and easily recognize balance of the use state of each application product and the idle states.

Furthermore, a computer monitoring system according to the present invention can be used by a supervisor of a business organization to monitor the use of electronic mails and web brewing activities of the employees of the organization quickly and

efficiently. Therefore, the supervisor can find the employee who evades his/her work instantly by looking at the use rate of idle state displayed on the monitoring computer. The use rate is an important feature and has significant and unexpected advantages over the prior art products. Additionally, the computer monitoring system according of present invention was given "The Useware Award" by Japan Useware Association in September 2003, and "Minister of Economy, Trade and Industry Award" by Ministry of Economy, Trade and Industry of Japan in October 2004. It is respectfully submits that the present invention is highly regarded as a significant innovation by the skilled artisan and expert in the art.

Therefore, the newly presented claims are not unpatanble over Beach in view of Sakamoto, Machida, Johnson, Freund, Hirokawa and Wattenberg. and the rejection under 35 U.S.C. § 103 has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. § 103 is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

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